Conflict diamond

2562. SHRI C. PERUMAL: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

whether his Ministry differed with the Ministry of Mines on the issue of conflict diamond;

if so, whether the issue has been sorted out;

if so, the details thereof; and

if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JAIRAM RAMESH): (a) No, Sir.

(b) and (c) Does not arise.

(d) Conflict diamonds are rough diamonds whose trade is prohibited by the United Nations Security Council because the proceeds of that trade are used by the rebel movements and their allies to finance their activities, including attempts to undermine or overthrow legitimate goverments. In pursuance of the resolution No. 55/56 (2000) adopted by UN General Assembly, the Kimberley Process was initiated to regulate the movement of rough diamonds and curb trad'ng in conflict diamonds. The aim of the Kimberley Process is to formulate concrete proposals for **a** system of Certificate of Origin for trade in rough diamonds and for appropriate arrangement to ensure compliance. After the Ministerial meeting held at Interlaken, Switzerland on 5th November, 2002, the KP Certification Scheme (KPCS) was launched on 1st January, 2003 including in India. Implementation is based on respective laws of the participating nations , and internal system of control meeting the standards established in the Documents of KPCS. Kimberley Process Certificate (KPC) means a forgery resistant document in a particular format, which identifies a shipment of rough diamonds as being in compliance with the requirements of the certification scheme. KPC accompanies each shipment of rough diamonds on export/import. Therefore, the question of any conflict of opinion with Ministry of Mines on issue of conflict diamonds does not arise.

Intellectual Property Rights Appellate Tribunal

2563. SHRIMATI N.P. DURGA: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether the Intellectual Property Rights Appellate Tribunal to adjudicate disputes under the TRIPS has been set up;

if so, the details of the disputes that it has so far adjudicated since its constitution in September, 2003, year-wise;

whether it is also a fact that the post of Vice-Chairman is lying vacant since long; and

if so, the reasons for not filling-up of the vacancy?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI ASHWANI KUMAR): (a) and (b) The Intellectual Property Appellate Board (IPAB) has been established under Section 83 of the Trade Marks Act. 1999 (No. 47 of 1999). A Bench of the IPAB sits at Mumbai, Kolkata, Delhi and Ahmedabad in addition to Chennai.

Since the constitution of IPAB in September, 2003, a total of 959 cases (appeals transferred and fresh appeals), have been received up to 30.4.2006. Bench-wise, year-wise break-up is given below:—

Original appeals/Application		Cases transferred from Courts	
Chennai	131	Hon'ble High Court of Madras	113
Delhi	167	Hon'ble High Court of Delhi	308
Mumbai	37	Hon'ble High Court of Bombay	24
Ahmedabad	34	Hon'ble High Court of Gujarat	69
Kolkata	44	Hon'ble High Court of Kolkata	32
TOTAL	413		546

A total of 430 appeals/cases have been disposed of as on 30.4.2006. The year-wise, bench-wise, details of disposals of both transferred/ original appeals up to 30.4.2006 are given in the enclosed Statement (See below)

(c) and (d) The post of Vice-Chairman which fell vacant on 14.3.2005 has since been filled up with the appointment of Shri Z.S. Negi as Vice-Chairman, IPAB w.e.f. 27.02.2006.

Statement

Year-wise, bench-wise details of transferred/original appeals upto 30-4-2006

Total No. of Disposal
(bolti Transferred and Original Appaals/Applieatton

	2003			2004			2006			2006			Grand Total		
	TA/TRA	OA/ORA	Total	TA/TRA	OA/ORA	Total	TA/TRA	OA/ORA	Total	TAfTRA	OA/ORA	Total	TA/TRA	OA/ORA	Total
Chennai	10	0	10	78	40	118	21	23	41	2	36	37	111	95	205
Delhi	0	5	b	85	4	96	41	8	49	10	0	10	146	12	158
Mumbai	0	0	0	4	1	5	0	2	2	0	0	0	4	3	7
Ahmedabad	0	0	0	14	0	14	26	0	26	0	0	0	40	0	40
Kofcate	0	0	0	10	2	12	4	3	7	0	0	0	14	5	13
Total	10	0	10	201	47	246	92	33	125	12	36	47	316	115	430

TA-Transferred Appeals
TAA-Transferred Rectification Application
OA-Original Appeals
ORA-Original Rectification Application